IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.47865 of 2008
DUKHI MAHTO
S/O-Sri Sita Ram Mahto, R/O-Vill-Gobraura, P.S.-Khajouli, Distt.-Madhubani.
.....Petitioner.
Versus
STATE OF BIHAR

2/ 16.12.2008 Heard learned Counsel for the petitioner and learned Counsel appearing on behalf of the State.

Case under Section 304 of the Indian Penal Code has been registered against 200 unknown persons on the fardbeyan of Chowkidar who alleged that a person was beaten mercilessly which led to his death. All the persons assembled thought the deceased to be a dacoit.

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Submission is that for the same occurrence a complaint case was filed on 06.09.2005 though the First Information Report was registered on 21.06.2005. Both the cases were amalgamated. The complainant come up with another version in which she has named this petitioner and eight others. Other named accused persons Aniruddh Mahto, Ram Bharoshe Mahto, Ashkok Mahto, Biltoo Mahto and Din Dayal Mahto have been granted bail by different orders of this Court. The allegation against the petitioner is identical with those accused persons who have been granted bail.

Considering the facts and circumstances of the case, let the above named petitioner be released from

custody on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Madhubani in connection with Khajauli P.S. Case No. 73 of 2005/G.R. No. 1006 of 2005.

kksinha/ **(Shyam Kishore Sharma, J.)**

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